



General Assembly

February Session, 2006

Amendment

LCO No. 4428

HB0566604428HDO

Offered by:

REP. STONE, 9th Dist.

To: House Bill No. 5666

File No. 182

Cal. No. 144

***"AN ACT MODIFYING BEER PACKAGING FOR CONSUMPTION
ON AND OFF PREMISES."***

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 30-63 of the 2006 supplement to the general
4 statutes is repealed and the following is substituted in lieu thereof
5 (*Effective from passage*):

6 (a) No holder of any manufacturer, wholesaler or out-of-state
7 shipper's permit shall ship, transport or deliver within this state, or sell
8 or offer for sale, any alcoholic liquors unless the name of the brand,
9 trade name or other distinctive characteristic by which such alcoholic
10 liquors are bought and sold, the name and address of the manufacturer
11 thereof and the name and address of each wholesaler permittee who is
12 authorized by the manufacturer or his authorized representative to sell
13 such alcoholic liquors are registered with the Department of Consumer
14 Protection and until such brand, trade name or other distinctive
15 characteristic has been approved by the department. Such registration

16 shall be valid for a period of three years. The fee for such registration,
17 or renewal thereof, shall be one hundred dollars for out-of-state
18 shippers and three dollars for Connecticut manufacturers for each
19 brand so registered, payable by the manufacturer or [his] such
20 manufacturer's authorized representative when such liquors are
21 manufactured in the United States and by the importer or [his] such
22 importer's authorized representative when such liquors are imported
23 into the United States. The department shall not approve the brand
24 registration of any fortified wine, as defined in section 12-433, which is
25 labeled, packaged or canned so as to appear to be a wine or liquor
26 cooler, as defined in section 12-433.

27 (b) No manufacturer, wholesaler or out-of-state shipper permittee
28 shall discriminate in any manner in price discounts between one
29 permittee and another on sales or purchases of alcoholic liquors
30 bearing the same brand or trade name and of like age, size and quality,
31 nor shall such manufacturer, wholesaler or out-of-state shipper
32 permittee allow in any form any discount, rebate, free goods,
33 allowance or other inducement for the purpose of making sales or
34 purchases. Nothing in this subsection shall be construed to prohibit
35 beer manufacturers, wholesalers or out-of-state shipper permittees
36 from differentiating the manner in which their products are packaged
37 on the basis of on-site or off-site consumption.

38 (c) For alcoholic liquor other than beer, each manufacturer,
39 wholesaler and out-of-state shipper permittee shall post with the
40 department, on a monthly basis, the bottle, can and case price of any
41 brand of goods offered for sale in Connecticut, which price when so
42 posted shall be the controlling price for such manufacturer, wholesaler
43 or out-of-state permittee for the month following such posting. [For]
44 On and after July 1, 2005, for beer, each manufacturer, wholesaler and
45 out-of-state shipper permittee shall post with the department, on a
46 monthly basis, the bottle, can and case price, and the price per keg or
47 barrel or fractional unit thereof for any brand of goods offered for sale
48 in Connecticut which price when so posted shall be the controlling
49 price for such brand of goods offered for sale in this state for the

50 month following such posting. Such manufacturer, wholesaler and
51 out-of-state shipper permittee may also post additional prices for such
52 bottle, can, case, keg or barrel or fractional unit thereof for a specified
53 portion of the following month which prices when so posted shall be
54 the controlling prices for such bottle, can, case, keg or barrel or
55 fractional unit thereof for such specified portion of the following
56 month. Notice of all manufacturer, wholesaler and out-of-state shipper
57 permittee prices shall be given to permittee purchasers by direct mail
58 or advertising in a trade publication having circulation among the
59 retail permittees except a wholesaler permittee may give such notice
60 by hand delivery. Price postings with the department setting forth
61 wholesale prices to retailers shall be available for inspection during
62 regular business hours at the offices of the department by
63 manufacturers and wholesalers until three o'clock p.m. of the first
64 business day after the last day for posting prices. A manufacturer or
65 wholesaler may amend [his] such manufacturer's or wholesaler's
66 posted price for any month to meet a lower price posted by another
67 manufacturer or wholesaler with respect to alcoholic liquor bearing the
68 same brand or trade name and of like age, vintage, quality and unit
69 container size; provided that any such amended price posting shall be
70 filed before three o'clock p.m. of the fourth business day after the last
71 day for posting prices; and provided further such amended posting
72 shall not set forth prices lower than those being met. Any
73 manufacturer or wholesaler posting an amended price shall, at the
74 time of posting, identify in writing the specific posting being met. [All]
75 On and after July 1, 2005, for beer, all wholesaler postings for the
76 following month shall be provided to retail permittees not later than
77 the [twelfth] twentieth day of the month prior to such posting.